

Attorney Docket No.

Patent
018995-452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nishizumi Nishimuta et al.

Application No.: 10/046,575

Filing Date: January 16, 2002

Title: EXTERNAL PREPARATION FOR SKIN DISEASES CONTAINING NITROIMIDAZOLE

Group Art Unit: 1614

Examiner: Vickie Kim

Confirmation No.: 4939

FIFTH
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIFTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

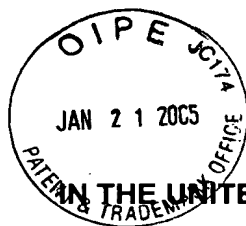
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By


Susan M. Dadio

Registration No. 40,373

Date: January 21, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Nishizumi Nishimuta et al.)	Group Art Unit: 1614
Application No.: 10/046,575)	Examiner: Vickie Kim
Filed: January 16, 2002)	Confirmation No.: 4939
For: EXTERNAL PREPARATION FOR SKIN)	
DISEASES CONTAINING)	
NITROIMIDAZOLE)	

FIFTH
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. Also enclosed is a copy of a Supplemental European Search Report mailed on December 6, 2004 in connection with the corresponding European Application.

Foreign Patent Documents

1. REDMOND, International Publication No. WO 99/04829, published on February 4, 1999.
2. MACKAY et al., Canadian Patent Application No. 2,161,737, published on May 1, 1997.
3. DONG, Canadian Patent Application No. 1,137,890, published on December 18, 1996 (XP-002305924 - Abstract Only).
4. YANG, Canadian Patent Application No. 1,068,038, published on January 20, 1993 (XP-002305925 - Abstract Only).

5. NAMOKONOV, Russian Patent Application No. 2 080 864, published on June 10, 1997 (XP-002305926 - Abstract Only).

6. NORIA, Japanese Patent Application No. 9 157161, published on June 17, 1997 (Abstract Only).

7. KAMISHITA et al., European Patent Application No. 0 685 230 A1, published December 6, 1995.

Non-Patent Documents

1. FARAH et al., "Tinidazole-Ticoconazole Combination in the Treatment of Vaginal Infection Due to Trichomonas Gardnerella-Vaginalis or Candida-Albicans," J BRAS GINECOL., 1987, vol. 97, no. 1/2, pp. 43-47, Biological Abstracts – Microfilms, Biosis. Philadelphia, PA, U.S., (XP002091996).

2. NANDA, "Common dermatoses," American Journal of Obstet. Gynecol., 1995, vol. 173, no. 2, pp. 488-495, The Library of the National Medical Society (XP-002305923).

The information is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

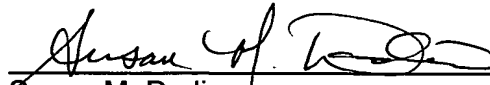
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date January 21, 2005

By:


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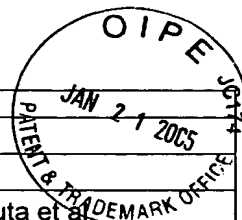
FIFTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/046,575
Filing Date	January 16, 2002
First Named Inventor	Nishizumi Nishimuta et al
Examiner Name	Vickie Kim
Attorney Docket Number	018995-452



U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	99/04829		International	02-04-1999				X			
	2,161,737		Canada	05-01-1997				X			
	1,137,890		Canada	12-18-1996				X		X	
	1,068,038		Canada	01-20-1993				X		X	
	2,080,864		Russia	06-10-1997				X		X	
	9 157161		Japan	06-17-1997				X		X	
	0 685 230		Europe	12-06-1995				X			

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	FARAH et al., "Tinidazole-Ticoconazole Combination in the Treatment of Vaginal Infection Due to Trichomonas Gardnerella-Vaginalis or Candida-Albicans," J BRAS GINECOL., 1987, vol. 97, no. 1/2, pp. 43-47, Biological Abstracts – Microfilms, Biosis. Philadelphia, PA, U.S., (XP002091996).
	NANDA, "Common dermatoses," American Journal of Obstet. Gynecol., 1995, vol. 173, no. 2, pp. 488-495, The Library of the National Medical Society (XP-002305923).

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.